

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MINNESOTA**

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AMY HAMILTON-WARWICK,

Civil No. 16-3461 (JRT/BRT)

Plaintiff,

v.

VERIZON WIRELESS and FEDERAL  
TRADE COMMISSION,

**ORDER ON REPORT  
AND RECOMMENDATION**

Defendants.

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Amy Hamilton-Warwick, 306 Exchange Street South, Saint Paul, MN 55102,  
*pro se* plaintiff.

Seth J S Leventhal, **LEVENTHAL PLLC**, 527 Marquette Avenue South,  
#2100, Minneapolis, MN 55402, for defendant Verizon Wireless.

Pamela Marentette, Assistant United States Attorney, **UNITED STATES  
ATTORNEY'S OFFICE**, 300 South Fourth Street, Suite 600, Minneapolis,  
MN 55415, for defendant Federal Trade Commission.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated April 12, 2017. No objections have been filed to that Report and Recommendation in the time period permitted. Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that:

1. The Federal Trade Commission's Motion to Dismiss for Failure to State a Claim upon which Relief may be Granted (Doc. No. 11) is **GRANTED**, and all claims in the Complaint are dismissed without prejudice against the FTC; and

2. Verizon Wireless's Motion to Compel Arbitration and Stay the Action (Doc. No. 20) is **GRANTED**, and this action is **STAYED** pending arbitration.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 3, 2017  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court